

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

CHARLES THOMAS,

Plaintiff,

-against-

AMERICAN SERVICE FINANCE CORPORATION
d/b/a MERCHANTS INTERSTATE COLLECTION
AGENCY,

Defendant.

Case No. 12 cv 4235 (ADS)

NOTICE OF MOTION

PLEASE TAKE NOTICE THAT, upon the accompanying Declaration of Michael N. Abdo, dated November 5, 2012, together with the exhibits thereto, the undersigned, attorneys for defendant American Service Finance Corporation's ("ASF") will move this Court, before the Honorable Arthur D. Spatt, United States District Judge, in Courtroom 1020, United States District Court, Eastern District of New York, 100 Federal Plaza, Central Islip, New York 11722 at a date and time to be determined by the court for an Order pursuant to Rules 12(b)(1), 12(b)(6), and 68(d) of the Federal Rules of Civil Procedure: (i) dismissing Plaintiff's Complaint, dated August 23, 2012, with prejudice, (ii) granting Defendant ASF the costs and reasonably attorneys fees of this motion, and (iii) for such other and further relief as the Court deems just and proper.

Dated: New York, New York
November 5, 2012

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